

UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT

Case No. 16-2234

National Labor Relations Board,
Petitioner

v.

Fraser Petroleum Services, Inc. and Fraser Engineering Co., Inc., a single employer,
Respondent

-and-

Pipefitters Association of Boston, Local 537,
Proposed Intervenor

MOTION TO INTERVENE
BY PIPEFITTERS ASSOCIATION OF BOSTON, LOCAL 537

NOW COMES Pipefitters Association of Boston, Local 537 (“Local 537”) and hereby moves this Honorable Court for leave to intervene in this matter pursuant to Fed. R. App. P. 15(d).

This matter is a petition filed by the National Labor Relations Board seeking to enforce a Decision and Order of the NLRB that was entered on September 9, 2016. Local 537 was the charging party in the case that led to the Board’s Decision and Order. The Board’s Decision and Order grants relief directly to Local 537, as well as employees it represents. Therefore, the actions of this Court will affect the substantial rights of Local 537 and its members.

Intervention is appropriate under Fed. R. App. P. 15(d) because the petition was docketed on October 4, 2016, and this motion was filed within 30 days of that date.

Moreover, in Int’l Union, United Auto., Aerospace & Agr. Implement Workers of Am. AFL-CIO, Local 283 v. Scofield, 382 U.S. 205, 208 (1965), the Supreme Court held that “both

the successful charged party and the successful charging party have a right to intervene in the Court of Appeals proceeding which reviews or enforces Labor Board orders.”

As set forth above, Local 537 was the successful charging party in the NLRB case underlying this action, and therefore has a right to intervene to protect its substantial rights.

Respectfully submitted,

/s/James A.W. Shaw
James A.W. Shaw
Court of Appeals No. 1133611
SEGAL ROITMAN, LLP
111 Devonshire Street, 5th Floor
Boston, MA 02108
(617) 603-1432
jshaw@segalroitman.com

Dated: October 13, 2016

CERTIFICATE OF SERVICE

I hereby certify that on October 13, 2016 I electronically filed the foregoing document with the United States Court of Appeals for the First Circuit by using the CM/ECF system. I certify that the following parties or their counsel of record are registered as ECF Filers and that they will be served by the CM/ECF system:

NATIONAL LABOR RELATIONS BOARD
Linda J. Dreeben
National Labor Relations Board
1015 Half St SE, Suite 8100
Washington, DC 20570

FRASER PETROLEUM SERVICES, INC.
FRASER ENGINEERING CO., INC.
Kay H. Hodge and Katherine Dillon Clark
Stoneman Chandler & Miller LLP
99 High St., Suite 1601
Boston, MA 02110

/s/James A.W. Shaw
James A.W. Shaw